

Section C - Enrollment/Membership

C-101 Suspension, Expulsion and Remand

1. Pursuant to 49-6-3007 (h): For the purposes of recording and coding student absences from school because of disciplinary action, the following definitions shall apply:
 - a. **Suspension** shall be defined as dismissed from attendance at school for any reason for not more than ten (10) consecutive days. The student on suspension shall be included in ADM and will continue to be counted for funding purposes. Multiple suspensions shall not run consecutively nor shall multiple suspensions be applied to avoid expulsion from school.
 - b. **Remand** shall be defined as assignment to an alternative school. The student so assigned shall be included in ADA/ADM and will continue to be counted as present for funding purposes. The State Department of Education shall establish a set of codes to be used for reporting reasons for students on remand to an alternative school.
 - c. **Expulsion** shall be defined as removal from attendance for more than ten (10) consecutive days or more than fifteen (15) days in a month of school attendance. Multiple suspensions that occur consecutively shall constitute expulsion. The school district shall not be eligible to receive funding for an expelled student.
2. Students who qualify for services under the Individuals with **Disabilities Education Act, 20 U.S.C. 1400, et seq., and 34 C.F.R. 300 et seq.**, may be suspended, remanded, or expelled only within the provisions of said acts. Removals from school for students receiving services under the act shall not be applied in such a manner so as to constitute a pattern of exclusion for the student nor shall any change of placement occur without the application of procedural safeguards as defined in the act.
3. The parents or legal guardians of students who are suspended or expelled in accordance with the provisions of **Tennessee Code Annotated § 49-6-3401** shall receive notices provided for therein.

Special Education students may be suspended for up to 10 days per school year without the provision of services. Deletion (per offense.) Special Education services must be provided to Special Education students who have been previously suspended during the school year for more than an accumulation of 10 days. See your Special Education Supervisor for specific guidance regarding procedural safeguards when considering suspending a child who is receiving special education services.

C-102 Homebound and Hospitalized Students

A student may be eligible for hospitalized or homebound services if he or she is expected to be unable to attend class for at least two weeks. Services to the hospitalized or homebound student should begin as soon as possible in order to assure the student of continuing educational support.

1. A child with a physical or mental impairment that, in the opinion of a physician licensed by the State Board of Medical Examiners (a psychologist is not a licensed physician), will cause the child to be absent for more than two consecutive weeks should be placed on homebound status. If this is a special education student, he or she should have an IEP meeting as soon as possible. Any child who has a health care condition requiring homebound placement may need to be considered for Section 504 eligibility/services.
2. On a temporary basis, a child who is certified by an appropriate specialist as having a handicapping condition and verified by the IEP as the appropriate interim service for that child may be considered for hospitalized or homebound services.

At the beginning of the homebound period, the appropriate staff enters the beginning date and the estimated date of return. When the student returns, the estimated date of return is changed to actual date. These students are not to be dropped and re-entered, but should remain enrolled and be counted present. Homebound pregnant students are not included in the Special Education Census.

C-103 Dropout and Truancy Accounting and Reporting

1. A dropout is an individual who:
 - a. was enrolled in school at some time during the previous school year;
 - b. was not enrolled at the beginning of the current school year;
 - c. has not graduated from high school or completed a state-approved educational program; and
 - d. **does not** meet any of the following exclusionary conditions:
 - transfer to another public school system, private school, or specifically approved state education program
 - temporary absence due to suspension or excused illness
 - death.
2. For purposes of applying the dropout definition, the following additional definitions also apply:
 - a. For reporting purposes, the school year is defined as the period of time between July 1 and June 30 of the following year.
 - b. An individual has graduated from high school or completed an approved education program upon receipt of formal recognition from school authorities.
 - c. A state-approved program may include Special Education Programs, Home-based Instruction, GED Plus 2/Exit Option Program, Alternative Schools or some other certification differing from the regular diploma. (Special Education Diploma)

The GED Plus 2/Exit Option Program is the only GED preparation program in which a student may participate without first being a dropout. **A student transferring into an adult high school program is still a dropout unless a diploma is earned within 4 years and a summer school. This is consistent with federal NCLB definitions.**

- d. Students who pass the GED within the same year they drop out can be re-entered and considered completers rather than dropouts. These students are coded as GED completers but do not count in the graduation rate calculation.
3. **Do not delete students from your records.** Every effort should be made to determine what happened to students who leave the system. If they have moved or transferred to another school, then the proper entry should be made. If efforts indicate that a transfer to another school did not take place, then these students should be recorded as dropouts. In any case, these students should be withdrawn from the school's enrollment with the proper withdrawal entry.
4. Any student under age 18 is considered a dropout after ten consecutive days or fifteen unexcused absence in a single semester **[Tennessee Code Annotated § 49-6-3017(c)]** and system policies and procedures on truancy have been followed.
5. Any student age 18 or over is considered a dropout after ten (10) days of unexcused absence, or if within these ten days contact has been made and this person so informs the system that he/she is not returning and has not transferred to another school.
6. For those students who dropout during the year, the proper withdrawal code must be made effective the next day after the last day of attendance.
7. Dropouts will be reported on the Annual Dropout Under 18/Annual Dropout 18 and Over reports.

C-104 Enrollment in Adjoining States

Boards of education located in counties which are adjacent to other states may contract with the appropriate or local state officials in the adjoining state for the education of children in kindergarten through grade 12 provided that:

1. The local Tennessee school system and the Tennessee Commissioner of Education determine that such an arrangement is the most economical way of providing education for the students.
2. The local Tennessee school system contracts with appropriate state officials in the adjoining state for the education of the students.
3. The contract is approved by the local board of education, the Tennessee Commissioner of Education, and the Tennessee Attorney General prior to students enrolling in school.
4. The local board of education is relieved of liability for the students during the term of the contract.

Note: These students shall be counted in computing ADM for purposes of receiving Tennessee state funds. [Tennessee Code Annotated § 49-6-3108]

C-105 Enrollment by Residents of Adjoining States

Students who are not residents of Tennessee but who are enrolled in school in Tennessee shall pay tuition. The tuition is the same rate as the average cost per pupil in the system attended. This tuition shall be paid to the bonded fiscal agent of the respective school system to be placed to the credit of the local school fund. **Tennessee Code Annotated § 49-6-403(f)** **Non-resident students shall not be counted for funding purposes.**

C-106 Immigrant Students

All students in Tennessee, regardless of their immigrant status, are entitled to a free public school education as determined by a U.S. Supreme Court ruling (**Plyler v. Doe, 1982**). To ensure this access to an education for “undocumented” children (those without documentation of U.S. citizenship or residency), school personnel should be careful not to require any documentation for registration (such as social security numbers or birth certificates) which may deny undocumented children their educational rights. All children, regardless of their immigrant status, fall under the provisions of Tennessee school attendance laws. An immigrant is someone that was not born in the U.S. and they have lived in the U.S. less than three years.

C-107 Special Education Identified and Served ADM by Primary and Secondary Options Report

NOTE: See Appendix H for Options of Special Education Service

Necessary attendance accounting information may be obtained from the Special Education supervisor or Special Education teacher:

1. Options 1 - 6: Special Education students with service Options 1 - 6 are included in the regular grade level student counts on the Superintendent's Student Membership/Attendance Report and no distinction should be made between these special education and regular education students. This includes gifted children who may be accelerated or receive instruction on more than one grade level based on the recommendation of the Individualized Education Program (IEP) Team.
2. Option 10 (homebound/hospitalized): Service option 10 students are included in the regular grade level counts on the Superintendent's Student Membership/Attendance Report.
 - a. Students are to be included in the regular grade-level count and in the Option 10 count using a date range to identify the homebound period.
 - b. NOTE: An IEP Team may return a homebound or hospitalized student to the regular classroom on a gradual basis. The student is marked as homebound until such time as that student is in the regular classroom for at least half the state minimum day, at which time the homebound student is removed from the homebound/hospitalized census.

- c. Special education personnel are responsible for reporting Special Education homebound students for each census period.

Option 7, 8, or 9 students: Option 7, 8, or 9 students receive 23 or more hours of Special Education service each week. These services may or may not be in self-contained classrooms. At the beginning of each year, special education personnel shall provide the school administrator responsible for membership and attendance a list of those students, by name, who are Option 7, 8, or 9. They shall also notify the administrator of any changes in these students' options during the school year.

3. Option 7, 8, or 9 students shall not be included in the regular grade level counts on the Superintendent's Student Membership/Attendance Report. These students are counted separately in the grade "N" count. Schools must ensure that these students are counted correctly throughout the school year. If 50 Option 7, 8, or 9 students were identified on the Superintendent's Monthly Special Education by Primary and Secondary Average Daily Membership Report, 50, or fewer, should be shown in the "N" category on the Superintendent's Student Membership/Attendance Report and shall not include the regular grade level counts.

It is imperative that all changes in the status of Special Education students that occurred during the reporting period be properly accounted for before the Special Education Option by Primary and Secondary Average Daily Membership Report is prepared.

C-108 Verify Report Results

1. Regular Vocational Education funds are earned for the students enrolled in Vocational Education classes. In addition, Carl D. Perkins Vocational Education (Program Improvement funds) may be used for Special Education students as long as these funds are limited to providing supplemental services such as teacher aides, equipment, and materials not provided to other students in Vocational Education programs that are essential for handicapped students to participate in Vocational Education programs successfully. For example, a teacher's assistant may be deemed appropriate for students with disabilities in regular vocational classes, depending on the nature and severity of the child's disability.
2. The Vocational Education classes counted as part of the minimum hours of service for Special Education Option 7 shall not be counted for vocational FTEADA/ADM. Classes above the 23 hours of Special Education services each week shall be counted for vocational FTEADA/ADM. For example: If a Special Education student in Option 7 receives Vocational Education training and is a part of the 23 hours of Special Education service, then payment by the state is through Special Education funding, and this student is not claimed for Vocational Education FTEADA/ADM. However, if the Vocational Education service is above the 23 hours of Special Education service required for Option 7, then FTEADA/ADM for these additional hours may be through Vocational Education.
3. Vocational Education teachers and Special Education personnel must work cooperatively to ensure appropriate services and activities are available to all Special Education students. In order for Option 7 students to be counted in appropriate Vocational Education classes above the 23 hours of Special Education services, additional entries must be made in the attendance data showing this attendance.

4. Vocational Education personnel must keep accurate counts of all Vocational Education students in each class, including Option 7, 8, or 9 Special Education students. These Special Education students will be counted separately during each of the 20-day school reporting periods. The rationale for this specific accounting procedure for Option 7, 8, or

9 Special Education students makes no change in the total number of vocational students served. However, since Option 7, 8, or 9 Special Education students cannot be counted in academic ADA/ADM, it is necessary to include their vocational ADA and ADM in the appropriate columns on the Superintendent's Student Membership/Attendance Report

C-109 Vocational Classes

1. These courses may be taught in the student's home school, a neighboring vocational school, or a vocational center.
2. Attendance must be kept in the student's home school (academic school). If vocational classes are in a different school, attendance must be reported to the home school each day.
3. Sign-in/out rosters are critical in the vocational building for students who must leave early or who arrive late any time during the school day.
4. Afternoon absences in vocational classes shall be noted separately on the sign-in/out roster and reported to the home school the following day along with the usual morning absences.
5. It is crucial for the attendance supervisor and the vocational education supervisor to maintain communication and cooperation throughout the school year in regard to attendance accounting procedures. A student, whether vocational or academic, must first be determined to be in attendance for half the state minimum school day in order to be counted present for ADA calculations. Attendance is then prorated between academic and vocational. If the student is not in attendance for half the state minimum school day, that student must not be counted present for ADA purposes in either academic or Vocational Education. For example, a student is enrolled in four hours of academic classes and two hours of Vocational Education classes. The student leaves school early and misses the two-hour vocational class. He is still in attendance for half the state minimum school day and receives funding for that day, which is prorated 4/6 academic and 2/6 vocational classes.
6. School systems must calculate the prorated vocational attendance figures by "program." There are nine (9) programs or classifications listed on the Superintendent's Student Membership/Attendance Report. The rationale for this specific accounting procedure for Option 7, 8, or 9 Special Education students makes no change in the total number of vocational students served. However, since Option 7, 8, or 9 Special Education students cannot be counted in academic ADA/ADM, it is necessary to include their vocational ADA and ADM in the appropriate columns on the Superintendent's Student Membership/Attendance Report.

Example: If a Special Education student receives Vocational Education training and is a part of the 23 hours of Special Education service, the student is counted in special education ADM and is not claimed for vocational FTEADA/ADM. However, if the Vocational Education service is above the 23 hours of Special Education service, then

funding for these hours is through Vocational Education.

The course number and the type of vocational program, along with the periods the student attends vocational class, must be entered before the end of the first reporting period in order for ADA and ADM to be calculated correctly.